

BEST AVAILABLE COPY**REMARKS**

Claims 1, 2, 7, 40, 45, and claims 20-35, 37-29, 58-73, 75-77, 79, and 81-82 have been cancelled. Claims 1-19, 40-57, 78, and 80 remain pending in this application.

Nonstatutory Double-Patenting Rejection

The Examiner has rejected claims 1-19, 40-57, 78 and 80 under the nonstatutory double patenting in light of U.S. Patents 6,240,461 and 6,683,873. Two terminal disclaimers are filed herewith to overcome this rejection.

Rejections under 35 U.S.C. § 101

The Examiner has rejected claim 78 under 35 U.S.C. § 101 because the claimed invention is asserted to be directed to non-statutory subject matter. The Examiner submits that the claim term "computer program product" is not limited to tangible embodiments since the specification includes the term "carrier wave." Claim 78 has been amended to recite "at least one tangible computer readable medium." It is respectfully submitted that this term could encompass carrier waves on a tangible medium, such as air or an electrical wire. It is respectfully submitted that claim 78 meets the requirements of 35 U.S.C. § 101.

Rejections under 35 U.S.C. § 102/103

The present invention relates redirecting network data (e.g., a data request) to a traffic handling system (e.g., a cache system). For instance, the traffic is sent from a first processing device (e.g., a client) to a second processing device (e.g., a server). At a third processing device (e.g., a router) associated with a plurality of traffic handling systems (e.g., cache systems), traffic information is received from each of the associated traffic handling systems. A determination as to how to redirect traffic received by the third processing device to a selected traffic handling system is made based on the traffic information.

It is respectfully submitted that the invention was mischaracterized in the previous response (Response C, filed Jan. 28, 2005). Specifically, the claim term "data" was amended to "traffic" and this new term "traffic" was characterized as being transmitted from a server to a

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client and as not encompassing "requests." The claim term "traffic" has been amended back to the previously used term "data" so as to better ensure that the claims are not interpreted to exclude "requests." Additionally, it is respectfully submitted that this data can be transmitted from client to server and is not constrained to be transmitted from server to client. The primary reference cited in the last Office Action (US Patent No. 6,578,066 to Logan) will also be addressed below.

The Office Action dated 20 September 2005 rejected claims 1-19, 40-57, 78 and 80 under 35 U.S.C. 102(e) as being anticipated by US Patent No. 6,167,438 to Yates et al. (referred to herein as "Yates"). The previous Office Action dated December 1, 2004 rejected claims 1-5, 7-10, 12-14, 19-25, 27-29, 33-34, 40-48, 50-53, 57-63, 65-67, 72-72 and 78-82 under 35 U.S.C. 102(e) as being anticipated by US Patent No. 6,578,066 to Logan (referred to herein as "Logan"). Applicants respectfully traverse.

Claim 1 is directed towards a "method of facilitating redirection of traffic sent from a first processing device to a second processing device." Claim 1 also recites "at a third processing device associated with a plurality of traffic handling systems, receiving traffic information from each of the associated traffic handling systems, wherein the traffic information received from each associated traffic handling system specifies which data based on at least a portion of the data should be redirected to the each associated traffic handling system. Claim 1 further requires "determining how to redirect data received by the third processing device to a selected traffic handling system based on the received traffic information from each of the associated traffic handling systems." Claim 80 is directed towards an apparatus that includes means for performing the operation of claim 1. Claims 40 and 78 are directed towards an apparatus and a computer program product, respectively, that include mechanisms for "receiving traffic information from each of the associated traffic handling systems, wherein the traffic information received from each associated traffic handling system specifies which data based on at least a portion of the data should be redirected to the each associated traffic handling system." Thus, these embodiments of the present invention provide mechanisms for receiving traffic information from each of a plurality of traffic handling devices that are associated with the apparatus that is receiving the traffic information (e.g., a third processing device), and the traffic information received from each traffic handling system specifies based on at least a portion of the data which data is to be directed to itself.

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Independent claims 40 and 78 recite further mechanisms for “communicating the received traffic information to at least a designated one of the associated traffic handling systems” and “receiving traffic redirection information from the designated traffic handling system, the traffic redirection information being based on the communicated traffic information.” Thus, embodiments of the present invention allow a designated traffic handling system to specify which data is redirected to which one of the traffic handling systems based on traffic information from each of the plurality of traffic handling systems.

The cited reference Yates specifies a single local cache server for each router. See Fig. 1. Although the local cache server updates a “filter code” in its router for redirecting traffic to itself (see Col. 7, Lines 46-50), none of the routers in Yates receive updates from each of a plurality of cache servers, in the manner claimed. The routers of Yates merely determine redirection to a single local cache system, rather than to a plurality of cache systems, and, accordingly, the routers of Yates cannot receive traffic information from each of a plurality of cache systems. In sum, Yates fails to teach or suggest “receiving traffic information from each of the associated traffic handling systems, wherein the traffic information received from each associated traffic handling system specifies which data based on at least a portion of the data should be redirected to the each associated traffic handling system”, where the traffic information is received by an apparatus associated with the plurality of traffic handling systems, in the manner claimed.

The cited reference Logan specifies a http request handling system, wherein a server is selected to handle the request based on load balancing factors, such as server availability and health. However, Logan fails to teach or suggest “receiving traffic information from each of the associated traffic handling systems, wherein the traffic information received from each associated traffic handling system specifies which data based on at least a portion of the data should be redirected to the each associated traffic handling system”, where the traffic information is received by an apparatus associated with the plurality of traffic handling systems, in the manner claimed. That is, Logan does not teach receiving traffic information that specifies which data based on a portion of the data (e.g., a specific field) is to be transmitted to which traffic handling system (or mechanisms for receiving the same), in the manner claimed.

For the forgoing reason, it is respectfully submitted that the claims 1, 40, 78, and 80 are patentable over the cited art.

The Examiner’s rejections of the dependent claims are also respectfully traversed. However, to expedite prosecution, all of these claims will not be argued separately. Claims 2-19, and 41-57 each depend directly or indirectly from independent claims 1 or 40 and, therefore, are respectfully submitted to be patentable over cited art for at least the reasons set forth above with

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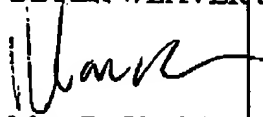
respect to claims 1 and 40. Further, the dependent claims require additional elements that when considered in context of the claimed inventions further patentably distinguish the invention from the cited art.

Conclusion

Applicants believe that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Applicants hereby petition for an extension of time which may be required to maintain the pendency of this case, and any required fee for such extension or any further fee required in connection with the filing of this Response is to be charged to Deposit Account No. 50-0388 (Order No. CISC146).

Respectfully submitted,
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